

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IRA GEWIRTZ, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

THE BEAR STEARNS COMPANIES, INC.,  
JAMES E. CAYNE, ALAN D. SCHWARTZ,  
WARREN J. SPECTOR, SAMUEL L.  
MOLINARO, JR., ALAN C. GREENBERG,  
and JOHN AND JANE DOES 1-20,

Defendants  
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No. 08 cv 3089 (RWS) (JCF)

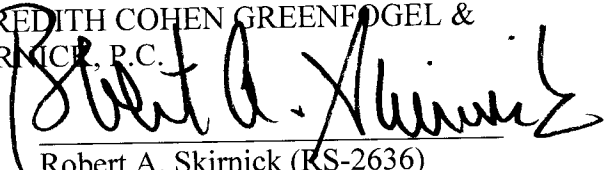
MOTION TO ADMIT COUNSEL  
PRO HAC VICE

PLEASE TAKE NOTICE that upon the annexed affidavit of Robert A. Skirnick in support of this motion and the status certificates annexed thereto, Plaintiff will move this Court, at such time as the Court should direct, for an Order, pursuant to Local Civil Rule 1.3(c) of the United States District Court for the Southern District of New York, granting *pro hac vice* admission to Steve W. Berman and Andrew M. Volk, members of the firm of Hagens Berman Sobol Shapiro LLP, 1301 Fifth Avenue, Seattle Washington 98101, and members in good standing of the Bar of the State of Washington, for the purposes of participating in, arguing, and trying the above-captioned action as well as the following related actions: Anthony Pisano v. The Bear Stearns Companies, et al. (08 cv 3006); Rita Rusin v. The Bear Stearns Companies, et al. (08 cv 3441); and Lawrence Fink v. The Bear Stearns Companies, et al. (08 cv 3602).

DATED: New York, NY  
April 21, 2008

MEREDITH COHEN GREENFELGEL &  
SKIRNICK, P.C.

By:

  
Robert A. Skirnick (RS-2636)  
One Liberty Plaza, 35<sup>th</sup> Floor  
New York, NY 10006

649107 & SO  
APR 25 2008

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
APR 25 2008

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----  
IRA GEWIRTZ, individually and on behalf :  
of all others similarly situated, :

Plaintiff, :

v. :

THE BEAR STEARNS COMPANIES, INC., :  
JAMES E. CAYNE, ALAN D. SCHWARTZ, :  
WARREN J. SPECTOR, SAMUEL L. :  
MOLINARO, JR., ALAN C. GREENBERG, :  
and JOHN AND JANE DOES 1-20, :

Defendants :  
-----

No. 08 cv 3089 (RWS) (JCF)

AFFIDAVIT OF  
ROBERT A. SKIRNICK  
IN SUPPORT OF  
ADMISSION PRO HAC VICE

State of New York     )  
                                  )  
County of New York    )

ROBERT A. SKIRNICK states and declares under penalty of perjury as follows:

1. I am a member in good standing of the bar of this Court and an officer and shareholder of the firm of Meredith Cohen Greenfogel & Skirnick, P.C., counsel to Plaintiff in this action. I submit this affidavit in support of the application for an order, pursuant to Local Civil Rule 1.3(c) of the United States District Court for the Southern District of New York, granting Steve W. Berman and Andrew M. Volk *pro hac vice* admission to this Court for the purposes of participating in, arguing, and trying the above-captioned action, in whole or in part, on behalf of Plaintiff, as well as participating in, arguing, and trying, in whole or in part, the following related actions on behalf of the respective Plaintiffs: Anthony Pisano v. The Bear Stearns Companies, et al. (08 cv 3006); Rita Rusin v. The Bear Stearns Companies, et al. (08 cv 3441); and Lawrence Fink v. The Bear Stearns Companies, et al. (08 cv 3602).

2. Steve W. Berman is a partner with the firm of Hagens Berman Sobol Shapiro LLP, 1301 Fifth Avenue, Seattle, Washington. A Status Certificate from the Washington State Bar Association is annexed hereto as Exhibit A.

3. Andrew M. Volk is a partner with the firm of Hagens Berman Sobol Shapiro LLP, 1301 Fifth Avenue, Seattle, Washington. A Status Certificate from the Washington State Bar Association is annexed hereto as Exhibit B.

4. Pursuant to Local Civil Rule 1.3(c) of the United States District Court for the Southern District of New York, Plaintiff requests that Steve W. Berman and Andrew M. Volk be permitted to argue and participate in the above-captioned case as do the respective plaintiffs in Anthony Pisano v. The Bear Stearns Companies, et al. (08 cv 3006); Rita Rusin v. The Bear Stearns Companies, et al. (08 cv 3441); and Lawrence Fink v. The Bear Stearns Companies, et al. (08 cv 3602).

5. Because no novel issue of law is involved in this motion, Plaintiff requests that this Court waive the requirement of a supporting memorandum of law pursuant to L.R. 7.1 of the United States District Court for the Southern District of New York.

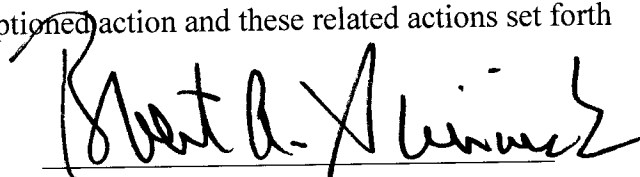
6. I have been advised by Lewis R. Clayton, of Paul Weiss Rifkin Wharton & Garrison LLP, counsel for defendant The Bear Stearns Companies, Inc., by David B. Anders of Wachtell, Lipton, Rosen & Katz, counsel for defendant Warren Spector, by Michael Chepiga of Simpson Thacher & Bartlett LLP, counsel for defendant Samuel Molinaro and by Steven Molo of Shearman & Sterling, counsel for Jeffrey Mayer, that they will not oppose the motion even though such motion had not previously been made. No counsel for any defendant has advised me of an intent to oppose the motion.

7. I have annexed, as Exhibit C, a proposed order.

8. There has been no prior application for the relief requested herein.

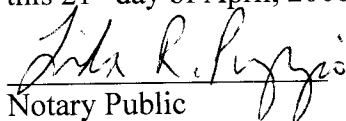
9. I declare under penalty of perjury that the foregoing is true and correct.

WHEREFORE, it is respectfully requested that this Court grant Steve W. Berman and Andrew M. Volk's *pro hac vice* admission to the bar of this Court for the purpose of participating in, arguing, and trying the above-captioned action and these related actions set forth above.



Robert A. Skirnick (RS-2636)  
MEREDITH COHEN GREENFOGEL  
& SKIRNICK, P.C.  
One Liberty Plaza, 35<sup>th</sup> Floor  
New York, NY 10006  
Tel: 212-240-0020  
Fax: 212-240-0021

Subscribed and sworn to before me  
this 21<sup>st</sup> day of April, 2008

  
Notary Public

LINDA R. PUZZIO  
Notary Public, State of New York  
No. 01PU5080306  
Qualified in Bronx County  
Commission Expires June 16, 2011

# EXHIBIT A

# STATUS CERTIFICATE

This certifies that

**STEVE W. BERMAN**

was admitted to the Bar of the State of Washington on July 20, 1982, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of April 9, 2008.



---

Paula C. Littlewood  
Executive Director

Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, WA 98101-2539  
206-443-WSBA

## EXHIBIT B

# STATUS CERTIFICATE

This certifies that

**ANDREW M VOLK**

was admitted to the Bar of the State of Washington on November 21, 1997, has been an active member since admission, and has complied with all requirements of the Washington State Bar Association for payment of licensing fees and attendance at continuing legal education programs.

Dated as of April 9, 2008.



---

Paula C. Littlewood  
Executive Director

Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, WA 98101-2539  
206-443-WSBA



# EXHIBIT C

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IRA GEWIRTZ, individually and on behalf :  
of all others similarly situated, :

Plaintiff, :

v. :

THE BEAR STEARNS COMPANIES, INC., :  
JAMES E. CAYNE, ALAN D. SCHWARTZ, :  
WARREN J. SPECTOR, SAMUEL L. :  
MOLINARO, JR., ALAN C. GREENBERG, :  
and JOHN AND JANE DOES 1-20, :

Defendants.  
-----X

No. 08 Civ. 3089 (RWS) (JCF)

[PROPOSED] ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of the motion of Plaintiff Ira Gewirtz for the *pro hac vice* admission of Steve W. Berman and Andrew M. Volk, pursuant to Local Civil Rule 1.3(c) of the United States District Court for the Southern District of New York, IT IS HEREBY ORDERED that said motion is GRANTED and Mr. Berman and Mr. Volk are hereby admitted to this Court for the purpose of appearing in the above-captioned action as well as the related actions Anthony Pisano v. The Bear Stearns Companies, et al. (08 cv 3006), Rita Rusin v. The Bear Stearns Companies, et al. (08 cv 3441), and Lawrence Fink v. The Bear Stearns Companies, et al. (08 cv 3602), as counsel for Plaintiffs in each of the respective cases.

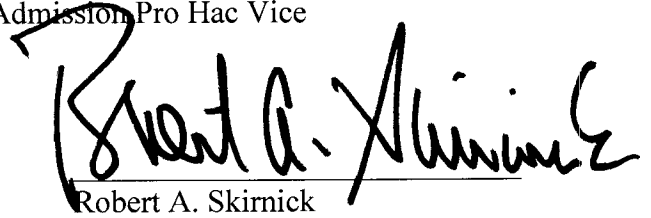
\_\_\_\_\_  
ROBERT W. SWEET  
UNITED STATES DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I, Robert A. Skirnick, Esq., hereby certify that on the 21<sup>st</sup> day of April, 2008, I caused to be served via U.S. mail on each of the parties listed on the attached service list in GEWIRTZ v. THE BEAR STEARNS COMPANIES, INC., ET AL. (08 cv 3089) true and correct copies of the following:

Motion to Admit Counsel Pro Hac Vice

Affidavit of Robert A. Skirnick in Support of Admission Pro Hac Vice



Robert A. Skirnick

THE BEAR STEARNS COMPANIES, ET AL. ERISA LITIGATION  
SERVICE LIST

Jeffrey H. Squire, Esq.  
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*Counsel for Plaintiff Hans Menos*

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Mark K. Gyandoh, Esq.  
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& KESSLER LLP  
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*Counsel for Plaintiff Aaron Howard*

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Sheldon Greenberg*

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Thomas G. Ciarlone, Jr., Esq.  
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*Counsel for Defendant Warren Spector*

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Fax: 212-848-7179

*Counsel for Defendant Jeffrey Mayer*

**Motions**

1:08-cv-03089-RWS Gewirtz v. The Bear Stearns Companies, Inc. et al  
ECF, RELATED

**U.S. District Court****United States District Court for the Southern District of New York****Notice of Electronic Filing**

The following transaction was entered by Skirnick, Robert on 4/21/2008 at 3:43 PM EDT and filed on 4/21/2008

**Case Name:** Gewirtz v. The Bear Stearns Companies, Inc. et al

**Case Number:** 1:08-cv-3089

**Filer:** Ira Gewirtz

**Document Number:** 24

**Docket Text:**

**MOTION for Leave to Appear pro hac vice on behalf of Steve W. Berman and Andrew M. Volk.**  
**Document filed by Ira Gewirtz.(Skirnick, Robert)**

**1:08-cv-3089 Notice has been electronically mailed to:**

Brad Scott Karp bkarp@paulweiss.com

Douglas M. Pravda dpravda@paulweiss.com, kbodkin@paulweiss.com

Lewis Richard Clayton lclayton@paulweiss.com

Milo Silberstein msilberstein@dealysilberstein.com

Robert Andrew Skirnick mcgsny@aol.com

**1:08-cv-3089 Notice has been delivered by other means to:**

Scott Wettersten

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

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**Service of Process:**

1:08-cv-03089-RWS Gewirtz v. The Bear Stearns Companies, Inc. et al  
ECF, RELATED

**U.S. District Court****United States District Court for the Southern District of New York****Notice of Electronic Filing**

The following transaction was entered by Skirnick, Robert on 4/21/2008 at 3:48 PM EDT and filed on 4/21/2008

**Case Name:** Gewirtz v. The Bear Stearns Companies, Inc. et al

**Case Number:** 1:08-cv-3089

**Filer:** Ira Gewirtz

**Document Number:** 26

**Docket Text:**

**CERTIFICATE OF SERVICE of Motion to Admit Counsel pro hac vice; Affidavit of Robert A. Skirnick in Support of Admission pro hac vice served on All counsel on attached Service List on April 21, 2008. Service was made by Mail. Document filed by Ira Gewirtz. (Skirnick, Robert)**

**1:08-cv-3089 Notice has been electronically mailed to:**

Brad Scott Karp bkarp@paulweiss.com

Douglas M. Pravda dpravda@paulweiss.com, kbodkin@paulweiss.com

Lewis Richard Clayton lclayton@paulweiss.com

Milo Silberstein msilberstein@dealysilberstein.com

Robert Andrew Skirnick mcgsny@aol.com

**1:08-cv-3089 Notice has been delivered by other means to:**

Scott Wettersten

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

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